

ONEIDA COUNTY PLANNING & ZONING
MARCH 15, 2006
1:00 P.M. –COMMITTEE ROOM #2
ONEIDA COUNTY COURTHOUSE
RHINELANDER, WI 54501

Members present: Chairman Gary Baier
Ted Cushing
Wilbur Petroskey (County Board Supervisor, serving as a
P & Z member because of the lack of a quorum)

Department staff present: Karl Jennrich, Zoning Director
Steve Osterman, Planning Manager
Pete Wegner, Assistant Zoning Director
Mary Bartelt, Typist III

Other County Staff:

See Attached Guest List:

Call to order.

Chairman Baier called the meeting to order at 1:29 P.M., in accordance with the Wisconsin Open Meeting Law.

Discussion/decision to approve the agenda.

**MOTION (Ted Cushing/Wilbur Petroskey) to approve the March 1, 2006 agenda.
With all members present voting “aye”, motion carries.**

Chair Baier noted that because the committee was short three members it was advised to telephone a County Board member to serve on the Planning and Zoning Committee for today's regular meeting and public hearing meeting. County Board Supervisor, Wilbur Petroskey graciously agreed to attend both meetings.

Chair Baier also read into the record that Patricia Peters, Frank Greb and Scott Holewinski, all Planning & Zoning Committee members were excused from attending this meeting.

Discussion/decision to approve meeting minutes of February 1, 2006, February 15, 2006,
February 21, 2006 & March 1, 2006.

The committee agreed to postpone this item until the next Planning & Zoning Committee meeting scheduled for Wednesday, March 29, 2006.

Discussion/decision involving the preliminary 8-lot State Plat of Oakwood Business Park, B&G Rental and Real Estate LLP, owner, on property described as Lot 5 of CSM #541228; Lot 3 of CSM #610279; and CSM #617556, all located in the NE NE, Section 34, T39N, R6E, in the Town of Minocqua.

Mr. Steve Osterman, Planning Manager, presented the preliminary 8-lot State Plat of Oakwood Business Park to the committee. There are two lots South of the private easement road and lots three; four, five, six, seven and eight would be North of the easement road. Lot 8 would be accessed off of Blue Lake Road, which is a town road. The property is zoned business. The Town of Minocqua approved the preliminary 8-lot with it being listed as an easement and would like the road named if it services so many lots. All of the lots meet the minimum size and all the soils were suitable. Lot 8 has an old septic system on it and there was no sanitary record to be found. Mr. Ben McMullen did a soil test on the lot and found a conventional area on Lot 8 and would be willing to replace that system within in one year or upon sale, whichever comes first. There are some concerns regarding a vision triangle wanted by the Department of Transportation because of being on Highway 51 for a clear open view.

Staff recommends approval subject to town concerns:

1. The road naming of the private easement (Minocqua Business Park Boulevard)
2. Approval from the Department of Transportation for highway access issues
3. Plat review from the State
4. Lot 8 failing septic system to be replaced within one year or upon sale, whichever comes first
5. Cul-de-sac by Lot 2, radius is a little bit short of seventy-five feet and must be widen
6. Statement on plat that the Town of Minocqua is not responsible for the maintenance of the easement road
7. Lots 1 and 7 will be given an easement to cross the road or an ownership in it, one or the other
8. Road Maintenance Agreement so all owners will know what their costs are and will share equally in the maintenance of the road

MOTION: (Ted Cushing/Wilbur Petroskey) to approve the preliminary 8-lot State Plat of Oakwood Business Park, B & G Rental and Real Estate LLP, Town of Minocqua, Item #4 on today's agenda, with concerns of town and staff to be included. All "aye" on voice vote. Motion carries.

Discussion/decision concerning amending Section 9.55 Adult Oriented Business Ordinance within the Oneida County Ordinance and Shoreland Protection Ordinance

Information Only – Mr. Karl Jennrich explained to the committee that this was on the agenda to discuss some amendments to the 9.55 and some amendments have been brought to the committee previously. Because of discussion with Attorney Todd McEldowney, Brian Desmond was asked to come up with some compromise language. Mr. Desmond did this and forwarded it to Mr. Andrew Jones from Wisconsin County Mutual to review and at this time there has been no response. EXHIBITS #1 and #2 (Letters to Mr. Todd McEldowney and to Karl Jennrich)

This item will be back on the agenda for Wednesday, March 29, 2006.

Mr. Jennrich will also be attending the meeting at the Town of Three Lakes on March 21, 2006 regarding the rezoning of Weasel's property from Business to General Use.

Discussion/decision involving amendments to Chapter 13, POWTS Ordinance within Oneida County General Code of Ordinances.

Mr. Jennrich explained that he had sent a memo to the Planning and Zoning Committee outlining some of the changes, which were made because of the three- page document, which

he received from the Wisconsin Department of Commerce. Mr. Jennrich pointed out two issues to the committee:

1. Commerce had an issue with the fact that Oneida County requires inspections of existing systems that are greater than 25% of the gross footprint to be remodeled. This is a commerce conflict. Because Mr. Jennrich wanted to keep this provision, he moved it to another section of the ordinance to appease the Wisconsin Department of Commerce.
2. The other issue is that the County can not withhold a sanitary permit to require large scale septic systems to be owned by municipality. Mr. Jennrich dropped this requirement in the ordinance.

MOTION: (Ted Cushing/Wilbur Petroskey) to pass Chapter 13, POWTS Ordinance on to the Full County Board for approval amongst the General Code of Ordinances changes.

Mr. Jennrich will come back with a resolution regarding this matter on Wednesday, March 29, 2006 for committee approval and signatures.

Chair Baier states that we have a motion and a second: All "aye" on voice vote. Motion carries.

Discussion/decision concerning amendments to Section 9.54 Communication Structures within the Oneida County Zoning & Shoreland Protection Ordinance.

Mr. Jennrich handed out to the committee additional changes, deletions and strikethrough changes to the committee regarding 9.54 Communication Structures. EXHIBIT #3.

Committee reviewed.

MOTION: (Ted Cushing/Wilbur Petroskey) direct Karl Jennrich, Zoning Director, to schedule the amendment to Section 9.54 Communication Structures within the Oneida County Zoning & Shoreland Protection Ordinance for a public hearing. All "aye" on voice vote. Motion carries.

Discussion/decision concerning amendments to Section 9.83 Composition of Board of Adjustment/Jurisdiction within the Oneida County Zoning & Shoreland Protection Ordinance.

Mr. Jennrich handed out to the committee additional changes, deletions and strikethrough changes to the committee regarding 9.83 Composition of Board of Adjustment/Jurisdiction. EXHIBIT #4.

Committee reviewed.

MOTION: (Ted Cushing/Wilbur Petroskey) to approve the changes and schedule for a public hearing. All "aye" on voice vote. Motion carries.

Discussion/decision concerning amendments to Chapter 17, Board of Adjustment Rules & Procedures of the Oneida County General Code of Ordinances.

Mr. Jennrich briefly explained to the committee regarding this item. EXHIBITS #5,6 & 7.

MOTION: (Ted Cushing/Wilbur Petroskey) to approve and forward on the Full County Board for review and approval the amendments to Chapter 17, Board of Adjustment Rules and Procedures at their April 2006 County Board meeting. All “aye” on voice vote. Motion carries.

Committee signs resolution.

Discussion/decision concerning the Planning & Zoning Committee Meeting scheduled for April 5, 2006.

Committee decided to meet at the Ray Sloan Community Center in Lake Tomahawk at 1:00 p.m. to proceed with the regular meeting first, then recesses to conduct an on-site inspection of the Dunbar property. After the on-site inspection the committee will reconvene at the Ray Sloan Community Center to discuss the Dunbar property and continue with the regular meeting agenda items.

Committee decided to meet at 7:00 p.m. at the Ray Sloan Community Center in Lake Tomahawk for a public hearing regarding the Farb rezone issue.

Chair Baier asks that Karl Jennrich ask Legal Counsel to attend both the Dunbar and Farb meetings.

Departmental operations/activities & status.

Mr. Jennrich stated that he was working on a lot of ordinance amendments, performance evaluation system for the department and the P & Z long-range plan, which must be put into the matrix format.

Mr. Jennrich also stated that a contractor's meeting has been set up for March 23, 2006 in the Town of Minocqua, with the Landscapers. Mr. Jennrich is also meeting with the septic system contractors at the Pizza Haven on Thursday, March 16, 2006.

Discussion/decision of line item transfers, refunds, purchase orders and bills.

Mr. Jennrich presented to the committee blanket purchase orders, mileage and other vouchers.

Mr. Jennrich also presented to the committee one refund in the amount of \$71.92 for Mildred C. Reinemann (overpayment for a building permit)

MOTION: (Ted Cushing/Wilbur Petroskey) to approve the blanket purchase orders, mileage, other vouchers and one refund as presented. All “aye” on voice vote. Motion carries.

Discussion/action concerning pending Ordinance Amendment and/or Resolution proposals scheduled for the County Board of Supervisors.

Mr. Jennrich stated that Ordinance 9.73 – Overlay Districts – was going to the County Board for review and approval at their March 21, 2006 meeting.

Communications. NONE

Public comments. NONE

Discussion/decision regarding future agenda items.

Chair Baier would like to discuss erosion and landscaping on properties. Mr. Jennrich will bring back to the committee the concerns and issues from the landscapers from the March 23, 2006 meeting that he will attend, to the next Planning & Zoning Committee meeting on March 29, 2006.

Adjourn.

2:21 PM There being no further matters to lawfully come before the Committee, a motion was made by Ted Cushing, second by Wilbur Petroskey to adjourn the meeting. With all members present voting "aye", the motion carried.

Chairman Gary Baier

Karl Jennrich
Zoning Director